

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

UNITED STATES LIABILITY INSURANCE
COMPANY,

Plaintiff,

v.

No. 08-1276 B

THE PALACE OF JACKSON, INC.;
FREDLIN W. GAGGLEY, III;
JAMIE LEE SMITH, KEITH HAROLD
HUGGINS and MICHAEL RAY CASTLEMAN,

Defendants.

ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE AND DENYING WITHOUT PREJUDICE
PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT AGAINST DEFENDANT
JAMIE LEE SMITH

This cause is before the Court in connection with the report and recommendation of the magistrate judge on the motion of the Plaintiff, United States Liability Insurance Company, against Defendant Jamie Lee Smith (D.E. # 35). The magistrate judge issued a report and recommendation recommending that the motion be denied without prejudice. According to the Court's docket, no objections to the magistrate judge's report and recommendation have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

The Court has reviewed the magistrate judge's report and recommendation, and the entire record of the proceeding before the magistrate judge. No objections having been filed to the report and recommendation, the Court ADOPTS the magistrate judge's report and recommendation.

Based on the foregoing, the Plaintiff's motion for default judgment against Defendant Smith is DENIED without prejudice.

IT IS SO ORDERED this 17th day of February 2010.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE